



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
9316 North 107th Street
Milwaukee, Wisconsin 53224-1121
TDD #: (608) 264-8777

Jim Doyle, Governor
Jack L. Fischer, A.I.A., Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 55
Comm #: 53095-4008-08-A
BRRTS #: 03-67-001113
Site Name: O'Connor Oil Corp Bulk Storage Facility
Site Address: 108 Decorah Road West, West Bend, 53095
Site Manager: Brenda Boyce
Address: 141 NW Barstow Street, Room 180
City, State Zip: Waukesha, WI 53188-3789
Phone: (262) 574-2140
e-mail: Brenda.Boyce@Wisconsin.Gov
Bid Manager: Lee Delcore
Address: 9316 North 107th Street
City, State Zip: Milwaukee, Wisconsin 53224-1121
Phone: (414) 357-4701
e-mail: Lee.Delcore@Wisconsin.Gov

Bid-Start Date:	June 9, 2008
Questions must be received by (See Section 2 (B)):	June 23, 2008, 4:00 PM
Responses will be posted by (See Section 2 (B)):	July 11, 2008
Bid-End Date and Time:	July 25, 2008, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Ivize-Milwaukee, 757 North Broadway, Suite 200, Milwaukee, WI 53202
Phone: (414) 276-2679 Fax: (414) 276-1529

SECTION 2 – Site-Specific Bid Requirements

General Comments

The site is a former above-ground bulk petroleum storage facility where two known releases occurred: a 1,200 gallon #2 fuel oil spill on December 16, 1988 and a 3,000 gallon #1 fuel oil spill on November 27, 1989. Both spills occurred within the dike area and were responded to immediately; however, subsequent investigative work revealed extensive soil and groundwater contamination. The property is currently used to house an ambulance service.

A dual-phase (soil and groundwater) extraction system was installed at the site in October 1996. The system operated until December 1998, when free product was no longer observed in monitoring wells. However, subsequent monitoring revealed that free product returned in MW-1 and has been observed there in thicknesses ranging from 0.5 to 1.5 feet since May 1999. The bulk storage tanks and dike were removed in 2001 and additional investigation work in the area of the former tanks was done in 2002 and 2003.

The most recent field work conducted at the site was in 2005 and 2006. During that period the extraction system was evaluated, minimal groundwater sampling conducted, and minimal product removed from MW-1. Monitoring well MW-2 was reported to have in excess of 7 feet of free product. No free product was removed from MW-2 by the previous consultant. In addition, a boring identified as MW-14 was advanced. The boring was intended to be a monitoring well but it was not advanced to a depth that intercepted the water table (dry well) and did not provide any information on extent of the contaminant plume west of MW-1.

A total of 14 monitoring wells and 19 extraction wells related to the site are believed to exist.

Minimum Remedial Requirements

Task 1: Monitoring Well Installation

Advance one soil boring (MW-15) adjacent to MW-14 and construct a NR141 compliant monitoring well in the borehole with a screened interval from 9-24 feet bgs. The primary purpose of this well is to determine the degree and extent of petroleum free product and groundwater impacts northeast of monitoring well MW-1. Off-site access will need to be obtained to install this well. Continuous soil collection and field screening are required during soil boring advancement. Collect and submit one soil sample from the watertable mixing zone for grain size (sieve) analysis (wet or dry), hydrometer testing and porosity. Also collect and submit a soil sample for PVOC and PAH analyses from the watertable interface.

Task 2: Groundwater Sampling Including LNAPL Assessment Parameters

After installation of the monitoring well, conduct two quarterly rounds of groundwater sampling and analysis for PVOCs and PAHs for the following monitoring wells (9 of the 15 wells): MW-1, MW-2, MW-3, MW-8, MW-9, MW-11, MW-13, PZ-1, and MW-15. All wells, including those not being sampled, are to have groundwater elevation data collected, product thickness (measured with a product interface probe) and a bottom of well depth recorded and tabulated for each round in the report. All measurements must be based on National Geodetic Survey data.

Collect and submit one sample each of free product from MW-1 and MW-2 (LNAPL) for quantitative fluid analysis. Conduct laboratory analysis for density (gm/cc), viscosity (cp), and surface and interfacial tensions (dyne/cm) for air/water, air/LNAPL, and LNAPL/water. Additional shipping and sample preparation/disposal costs may apply.

Free product has been historically observed in MW-1, MW-2, MW-8, and PZ-1. For LNAPL encountered in any monitoring well, after required depth measurements are made, remove the product with absorbent socks or by bailing, if the product thickness warrants bailing, and record the amount of product removed. After purging the product, collect a sample using a bottom discharge sampling device to help prevent any free product from being incorporated in the sample vial. Bidders should include in their bid the analytical and sampling costs on a per well basis.

Task 3: Evaluation & Sampling of Extractions Wells

The groundwater extraction system reportedly has 19 extraction wells. During a system evaluation in June 2006, 7 of the extraction wells were shown to yield water (EP3, 10, 11, 15, 16, 18, and 19). While the groundwater extraction system will not be used again at this site, groundwater quality and the presence of free product in these wells is of interest. For the purpose of this bid, provide a cost to collect groundwater elevation data, product thickness (measured with a product interface probe) and a bottom of well depth measurements for all of the extraction wells.

As a separate line item, provide costs to sample the 7 groundwater extraction wells for PVOCs and PAHs during the first quarterly round of groundwater sampling. As a contingency cost, provide a per well cost to sample and analyze (for PVOCs and PAHs) any additional extraction wells found to yield enough water to collect a groundwater sample. Groundwater analytical samples are to be collected for all well, regardless of the presence of free product.

Task 4: Site Survey and Map

Complete a comprehensive new survey and prepare a computer drafted to-scale site map including all monitoring wells, extraction wells, property boundaries, utilities, buildings, and former tank and structure locations.

Task 5: Waste Disposal

The bid shall include costs for disposal of all investigative waste; in this case, purge water, free product and soil. All waste barrels generated from site work activities must be labeled and placed in an inconspicuous place on the site and removed in a timely manner. Dispose of the waste in accordance with s. NR 716.11(6), Wis. Adm. Code.

Task 6: Reporting

Within 30 days after receipt of the results for the first groundwater sampling event, a brief report is to be submitted to the DNR Site Manager and the Commerce Bid Manager that includes the following: (Note that hand-drawn additions to tables and figures are not acceptable)

- A copy of the comprehensive site map and survey data required in Task 3;

- All forms required by the DNR to document monitoring well installation, construction and development;

- A groundwater analytical results table, including new data and all previously reported results;

LNAPL Assessment Parameter results;

A groundwater flow map for the sampling round conducted, including equipotential contour lines and flow direction arrows for the watertable observation wells;

A table or tables of water level measurements, well depths, and free product thickness observed;

Within 30 days after the receipt of the results of the second groundwater sampling round, a report must be submitted to the DNR Site Manager and the Commerce Bid Manager that includes, but is not limited to, the following:

Summary of the collection of free product;

An estimate of the volume of free product remaining at the site;

The soil and groundwater laboratory analytical report sheets for the reporting period must also be included;

Proper disposal documentation for all wastes generated;

Description of any other work activities completed in accordance with this bid.

Web reports and contract notifications, as outlined in Section 3, are required and costs are to be accounted for in the reporting section of the bid response.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: O'Connor Oil Corp Bulk Storage Facility

COMMERCE #: 53095-4008-08-A

BRRTS #: 03-67-001113

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE**(2nd Page)**

Department of Commerce PECFA Program

SITE NAME: O'Connor Oil Corp Bulk Storage Facility**COMMERCE #: 53095-4008-08-A****BRRTS #: 03-67-001113****Consulting Firm Name:** _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Monitoring Well Installation	\$	
2a	Groundwater Measurements, Including LNAPL Assessment Parameters (2 rounds)	\$	
2b	Groundwater Sampling, Including Analytical Costs (per well)	\$	
2c	Well samples anticipated	18	
2d	Groundwater Sampling Total (2b times 2c)	\$	
3a	Extraction Well Measurements (19 wells)	\$	
3b	Extraction Well Sampling (7 wells, 1st round)	\$	
4	Site Survey and Map	\$	
5	Waste Disposal	\$	
6	Reporting	\$	
7	PECFA Claim Preparation	\$	
	Total Bid Amount	\$	
	Contingency Costs	\$	
	Cost per Additional Extraction Well Sampling		